

Attorney Docket :
032301 WN 216



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)
Brigitte Bathe, *et al.*)
Serial No. : 09/942,935)
Filed: August 31, 2001)
Examiner: Kathleen Kerr
Group Art Unit: 1652

For : NUCLEOTIDE SEQUENCES CODING FOR THE sigM GENE

SECOND INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. 1.56, Applicants are enclosing an Information Disclosure Citation Form (PTO-1449) and a copy of the document cited therein.

It is respectfully requested that the cited document be considered by the Examiner in the above-identified patent application and that the cited document be made officially of record therein. It is further requested that a listing of the same appear on the face of any patent which may issue from this application.

An Official Action on the merits has issued for this application. In accordance with the requirements of 37 C.F.R. §1.97(d), Applicants attach a check for \$180 in payment of the requisite fee (37 C.F.R. §1.17(p)).

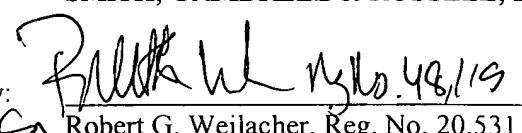
03/05/2004 SSESHE1 00000141 09942935

05 FC:1806

180.00 OP

Respectfully submitted,
SMITH, GAMBRELL & RUSSELL, LLP

By:


Robert G. Weilacher, Reg. No. 20,531
1850 M Street, N.W., Suite 800
Washington, D.C. 20036
Telephone: (202) 263-4300
Facsimile: (202) 263-4329

March 3, 2004

FORM PTO-1449 U.S. PATENT & TRADEMARK OFFICE MAR 03 2004 O P E J INFORMATION DISCLOSURE STATEMENT		ATTY. DOCKET 32301WN216	SERIAL NO. 09/942,935
		BRIGITTE BATHE, et al..	
		FILING DATE August 31, 2001	GROUP ART UNIT 1652

U.S. PATENT DOCUMENTS

*Examiner's Initials		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE, IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						

FOREIGN PATENT DOCUMENTS

*Examiner's Initials		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION YES NO
	AH						
	AI						
	AJ						
	AK						

OTHER INFORMATION (Including Author, Title, Date, Pertinent Pages, Etc.)

AL	Marjorie L. Beggs, et al., "Isolation and sequence of a <i>Mycobacterium tuberculosis</i> sigma factor", Gene 174 (1996) pp. 285-287
AM	
AN	
AO	
AP	
AQ	
AR	

EXAMINER:	DATE CONSIDERED:
-----------	------------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

113
**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

\$1,018

Complete if Known

Application Number	09/942,935
Filing Date	August 31, 2001
First Named Inventor	Brigitte Bathe, et al.
Examiner Name	Kathleen Kerr
Art Unit	1652
Attorney Docket No.	032301WN216

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Other None
Order

 Deposit Account:Deposit
Account
Number

02-4300

Deposit
Account
NameSmith, Gambrell
+ Russell

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee
 to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1051	130	2051	65
1052	50	2052	25
1053	130	1053	130
1812	2,520	1812	2,520
1804	920*	1804	920*
1805	1,840*	1805	1,840*
1251	110	2251	55
1252	420	2252	210
1253	950	2253	475
1254	1,480	2254	740
1255	2,010	2255	1,005
1401	330	2401	165
1402	330	2402	165
1403	290	2403	145
1451	1,510	1451	1,510
1452	110	2452	55
1453	1,330	2453	665
1501	1,330	2501	665
1502	480	2502	240
1503	640	2503	320
1460	130	1460	130
1807	50	1807	50
1806	180	1806	180
8021	40	8021	40
1809	770	2809	385
1810	770	2810	385
1801	770	2801	385
1802	900	1802	900

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1001	770	2001	385
1002	340	2002	170
1003	530	2003	265
1004	770	2004	385
1005	160	2005	80

SUBTOTAL (1)

(\$0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	40	-30 **	= 10
Independent Claims	6	-3 **	= 3
Multiple Dependent	1		X 290 = 290

Large Entity

Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$728)

Other fee (specify) _____

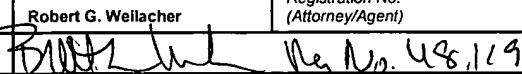
*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$110)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Robert G. Weilacher	Registration No. (Attorney/Agent)	20,531	Telephone	202 263-4300
Signature				Date	March 3, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.